

No. 23  
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**House of Representatives**  
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REGULAR SESSION OF 2010

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House Chamber, Lansing, Tuesday, March 9, 2010.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Agema—present	Durhal—present	Kurtz—present	Polidori—present
Amash—present	Ebli—present	Lahti—present	Proos—present
Angerer—present	Elsenheimer—present	LeBlanc—present	Roberts—present
Ball—present	Espinoza—present	Leland—present	Rocca—present
Barnett—present	Geiss—present	Lemmons—present	Rogers—present
Bauer—present	Genetski—present	Lindberg—present	Schmidt, R.—present
Bennett—present	Gonzales—present	Lipton—present	Schmidt, W.—present
Bledsoe—present	Green—present	Liss—present	Schuitmaker—present
Bolger—present	Gregory—present	Lori—present	Scott, B.—present
Booher—present	Griffin—present	Lund—present	Scott, P.—present
Brown, L.—present	Haase—present	Marleau—present	Scripps—present
Brown, T.—present	Haines—present	Mayes—present	Segal—present
Byrnes—present	Hammel—present	McDowell—present	Sheltrown—present
Byrum—present	Hansen—present	McMillin—present	Slavens—present
Calley—present	Haugh—present	Meadows—present	Slezak—present
Caul—present	Haveman—present	Meekhof—present	Smith—present
Clemente—present	Hildenbrand—present	Melton—present	Spade—present
Constan—present	Horn—present	Meltzer—present	Stamas—present
Corriveau—present	Huckleberry—present	Miller—present	Stanley—present
Coulouris—present	Jackson—present	Moore—present	Switalski—present
Crawford—present	Johnson—present	Moss—present	Tlaib—present
Cushingberry—present	Jones, Rick—present	Nathan—present	Tyler—present
Daley—present	Jones, Robert—present	Nerat—present	Valentine—present
Dean—present	Kandrevas—present	Neumann—present	Walsh—present
Denby—present	Kennedy—present	Opsommer—present	Warren—present
DeShazor—present	Knollenberg—present	Pavlov—present	Womack—present
Dillon—present	Kowall—present	Pearce—present	Young—present
Donigan—present			

e/d/s = entered during session

Rep. Fred Miller, from the 31st District, offered the following invocation:

“Almighty God, we are in awe of the wonder of Your works. The White Pine, the apple blossom, the red-breasted robin, the Whitetail Deer, the Isle Royal greenstone and the Petoskey Stone, the brook trout; these two pleasant peninsulas are resplendent with Your glorious creations. Thank You, Lord, for placing us amidst the splendor of Your works at this place and in this time. Thank You also God for babies and for children who represent the continuing potential of Your kingdom.

We know that far too often, Lord, we fall short of Your vision for us and that our own personal agendas and ambitions sometimes clash with Your plan. You know all too well Lord, that to be human is to be weak, and we beg Your forgiveness and a measure of acceptance in Your sight.

Father God, the Bible tells the story Daniel, who was delivered from great personal peril because of his faith in You. Instill in us the faith of Daniel as we face the lions in our lives, but remind us, O Lord, that often we are the lions, all too willing to devour and destroy. Calm our appetites Lord and grant us patience and mercy to balance our strength and tenacity.

Lastly God, we celebrate our friends and neighbors who call You by different names and worship You in different ways. We give thanks for all of the countless threads in the wondrous tapestry of faith, but all these things I ask today in the name of Your Son, Jesus Christ, who said, let the children come to me for theirs is the kingdom of heaven. Amen.”

### Reports of Standing Committees

The Speaker laid before the House

**House Concurrent Resolution No. 41.**

A concurrent resolution to memorialize the Congress of the United States to enact the federal Food Desert Oasis Act to encourage the location of grocery stores in certain communities.

(For text of concurrent resolution, see House Journal No. 12, p. 126.)

(The concurrent resolution was reported by the Committee on Urban Policy on March 2.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Committee on Health Policy, by Rep. Corriveau, Chair, reported

**House Resolution No. 218.**

A resolution to declare March 8-14, 2010, as Multiple Sclerosis Awareness Week in the state of Michigan.

(For text of resolution, see House Journal No. 22, p. 254.)

With the recommendation that the resolution be adopted.

### Favorable Roll Call

To Report Out:

Yeas: Reps. Corriveau, Segal, Byrum, Coulouris, Griffin, Liss, Roy Schmidt, Slavens, Valentine, Womack, Marleau, Ball, Calley, Crawford, Denby, Green, Moore and Paul Scott

Nays: None

The Speaker laid before the House

**House Resolution No. 218.**

A resolution to declare March 8-14, 2010, as Multiple Sclerosis Awareness Week in the state of Michigan.

(For text of resolution, see House Journal No. 22, p. 254.)

(The resolution was reported by the Committee on Health Policy on March 9.)

The question being on the adoption of the resolution,

The resolution was adopted.

### Messages from the Senate

The speaker laid before the House

**House Concurrent Resolution No. 28.**

A concurrent resolution to urge the United States Congress to continue to provide funding in the coming years for cleaning up the Great Lakes and protecting them from invasive species.

(For text of concurrent resolution, see House Journal No. 71 of 2009, p. 1487.)

(The concurrent resolution was received from the Senate on March 4, with substitute (S-1) made by the Senate.)  
(For Senate substitute, see House Journal No. 22, p. 256.)  
The question being on concurring in the substitute (S-1) made to the concurrent resolution by the Senate,  
The substitute (S-1) was concurred in.

By unanimous consent the House returned to the order of

### **Reports of Standing Committees**

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

#### **House Bill No. 5406, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

### Favorable Roll Call

To Report Out:

Yeas: Reps. Cushingberry, Hammel, Bauer, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers and Schuitmaker

Nays: None

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cushingberry, Chair, of the Committee on Appropriations, was received and read:  
Meeting held on: Thursday, March 4, 2010

Present: Reps. Cushingberry, Hammel, Bauer, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers and Schuitmaker

Absent: Reps. Bennett and Jackson

### **Second Reading of Bills**

#### **House Bill No. 5406, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Appropriations,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Smith moved to amend the bill as follows:

1. Amend page 4, line 19, after "less," by inserting "the felon's prior record variable score is 35 or more points, and".

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Cushingberry moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Dean moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **House Bill No. 5406, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 58****Yeas—109**

Agema	Durhal	Kurtz	Polidori
Amash	Ebli	Lahti	Proos
Angerer	Elsenheimer	LeBlanc	Roberts
Ball	Espinoza	Leland	Rocca
Barnett	Geiss	Lemmons	Rogers
Bauer	Genetski	Lindberg	Schmidt, R.
Bennett	Gonzales	Lipton	Schmidt, W.
Bledsoe	Green	Liss	Schuitmaker
Bolger	Gregory	Lori	Scott, B.
Booher	Griffin	Lund	Scott, P.
Brown, L.	Haase	Marleau	Scripps
Brown, T.	Haines	Mayes	Segal
Byrnes	Hammel	McDowell	Sheltrown
Byrum	Hansen	McMillin	Slavens
Calley	Haugh	Meadows	Slezak
Caul	Haveman	Meekhof	Smith
Clemente	Hildenbrand	Melton	Spade
Constan	Horn	Meltzer	Stamas
Corriveau	Huckleberry	Miller	Stanley
Coulouris	Jackson	Moore	Switalski
Crawford	Johnson	Moss	Tlaib
Cushingberry	Jones, Rick	Nathan	Tyler
Daley	Jones, Robert	Nerat	Valentine
Dean	Kandrevas	Neumann	Walsh
Denby	Kennedy	Opsommer	Warren
DeShazor	Knollenberg	Pavlov	Womack
Dillon	Kowall	Pearce	Young
Donigan			

**Nays—0**

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Dean moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

**Second Reading of Bills****House Bill No. 5752, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2001, 2005, and 2030 (MCL 324.2001, 324.2005, and 324.2030), as added by 2004 PA 587, and by adding sections 1911 and 2045; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Meekhof moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Dean moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5752, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2001, 2005, and 2030 (MCL 324.2001, 324.2005, and 324.2030), as added by 2004 PA 587, and by adding sections 1911 and 2045; and to repeal acts and parts of acts.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 59**

**Yeas—82**

Angerer	Elsenheimer	Leland	Rogers
Barnett	Espinoza	Lemmons	Schmidt, R.
Bauer	Geiss	Lindberg	Schmidt, W.
Bennett	Green	Lipton	Schuitmaker
Bledsoe	Gregory	Liss	Scott, B.
Bolger	Griffin	Marleau	Scripps
Brown, L.	Haase	Mayes	Segal
Brown, T.	Haines	McDowell	Sheltrown
Byrum	Hammel	Meadows	Slavens
Clemente	Hansen	Meekhof	Slezak
Constan	Haugh	Melton	Smith
Corriveau	Hildenbrand	Miller	Stanley
Coulouris	Huckleberry	Moore	Switalski
Cushingberry	Jackson	Moss	Tlaib
Daley	Johnson	Nathan	Tyler
Dean	Jones, Rick	Pavlov	Valentine
Denby	Jones, Robert	Polidori	Walsh
DeShazor	Kennedy	Proos	Warren
Dillon	Knollenberg	Roberts	Womack
Durhal	Kowall	Rocca	Young
Ebli	Lahti		

**Nays—27**

Agema	Crawford	Kurtz	Neumann
Amash	Donigan	LeBlanc	Opsommer
Ball	Genetski	Lori	Pearce
Booher	Gonzales	Lund	Scott, P.
Byrnes	Haveman	McMillin	Spade
Calley	Horn	Meltzer	Stamas
Caul	Kandrevas	Nerat	

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Dean moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

**Second Reading of Bills**

**House Bill No. 5822, entitled**

A bill to amend 1976 PA 328, entitled "An act to regulate animals running at large; to provide for compensation for damage done by animals running at large; to prescribe penalties; and to repeal certain acts and parts of acts," (MCL 433.11 to 433.20) by adding section 4a; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Agriculture,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Huckleberry moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Dean moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5822, entitled

A bill to amend 1976 PA 328, entitled "An act to regulate animals running at large; to provide for compensation for damage done by animals running at large; to prescribe penalties; and to repeal certain acts and parts of acts," (MCL 433.11 to 433.20) by adding section 4a; and to repeal acts and parts of acts.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 60

#### Yeas—109

Agema	Durhal	Kurtz	Polidori
Amash	Ebli	Lahti	Proos
Angerer	Elsenheimer	LeBlanc	Roberts
Ball	Espinoza	Leland	Rocca
Barnett	Geiss	Lemmons	Rogers
Bauer	Genetski	Lindberg	Schmidt, R.
Bennett	Gonzales	Lipton	Schmidt, W.
Bledsoe	Green	Liss	Schuitmaker
Bolger	Gregory	Lori	Scott, B.
Booher	Griffin	Lund	Scott, P.
Brown, L.	Haase	Marleau	Scripps
Brown, T.	Haines	Mayer	Segal
Byrnes	Hammel	McDowell	Sheltrown
Byrum	Hansen	McMillin	Slavens
Calley	Haugh	Meadows	Slezak
Caul	Haveman	Meekhof	Smith
Clemente	Hildenbrand	Melton	Spade
Constan	Horn	Meltzer	Stamas
Corriveau	Huckleberry	Miller	Stanley
Coulouris	Jackson	Moore	Switalski
Crawford	Johnson	Moss	Tlaib
Cushingberry	Jones, Rick	Nathan	Tyler
Daley	Jones, Robert	Nerat	Valentine
Dean	Kandreas	Neumann	Walsh
Denby	Kennedy	Opsommer	Warren
DeShazor	Knollenberg	Pavlov	Womack
Dillon	Kowall	Pearce	Young
Donigan			

Nays—0

The question being on agreeing to the title of the bill,

Rep. Dean moved to amend the title to read as follows:

A bill to amend 1976 PA 328, entitled "An act to regulate animals running at large; to provide for compensation for damage done by animals running at large; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 1 (MCL 433.11) and by adding section 4a; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Rep. Dean moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### House Bill No. 5823, entitled

A bill to amend 1959 PA 66, entitled "An act to prohibit the running at large on or the grazing upon any land owned by or under the control of the department of conservation, by cattle, horses, sheep and swine; to provide for the enforcement of this act; and to prescribe penalties for the violation of the provisions of this act," by amending section 1 (MCL 322.581) and by adding section 12.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Agriculture,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Barnett moved to amend the bill as follows:

1. Amend page 2, line 17, after "director" by striking out "shall" and inserting "MAY".

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Tyler moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Dean moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Dean moved that Rep. Cushingberry be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5823, entitled

A bill to amend 1959 PA 66, entitled "An act to prohibit the running at large on or the grazing upon any land owned by or under the control of the department of conservation, by cattle, horses, sheep and swine; to provide for the enforcement of this act; and to prescribe penalties for the violation of the provisions of this act," by amending section 1 (MCL 322.581) and by adding section 12.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 61

#### Yeas—108

Agema	Durhal	Kurtz	Polidori
Amash	Ebli	Lahti	Proos
Angerer	Elsenheimer	LeBlanc	Roberts
Ball	Espinoza	Leland	Rocca
Barnett	Geiss	Lemmons	Rogers
Bauer	Genetski	Lindberg	Schmidt, R.

Bennett	Gonzales	Lipton	Schmidt, W.
Bledsoe	Green	Liss	Schuitmaker
Bolger	Gregory	Lori	Scott, B.
Booher	Griffin	Lund	Scott, P.
Brown, L.	Haase	Marleau	Scripps
Brown, T.	Haines	Mayes	Segal
Byrnes	Hammel	McDowell	Sheltrown
Byrum	Hansen	McMillin	Slavens
Calley	Haugh	Meadows	Slezak
Caul	Haveman	Meekhof	Smith
Clemente	Hildenbrand	Melton	Spade
Constan	Horn	Meltzer	Stamas
Corriveau	Huckleberry	Miller	Stanley
Coulouris	Jackson	Moore	Switalski
Crawford	Johnson	Moss	Tlaib
Daley	Jones, Rick	Nathan	Tyler
Dean	Jones, Robert	Nerat	Valentine
Denby	Kandreas	Neumann	Walsh
DeShazor	Kennedy	Opsommer	Warren
Dillon	Knollenberg	Pavlov	Womack
Donigan	Kowall	Pearce	Young

### Nays—0

In The Chair: Byrnes

The question being on agreeing to the title of the bill,

Rep. Dean moved to amend the title to read as follows:

A bill to amend 1959 PA 66, entitled “An act to prohibit the running at large on or the grazing upon any land owned by or under the control of the department of conservation, by cattle, horses, sheep and swine; to provide for the enforcement of this act; and to prescribe penalties for the violation of the provisions of this act,” by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, and 11 (MCL 322.581, 322.582, 322.583, 322.584, 322.585, 322.586, 322.587, 322.589, 322.590, and 322.591) and by adding section 12.

The motion prevailed.

The House agreed to the title as amended.

Rep. Dean moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### House Bill No. 5824, entitled

A bill to amend 1879 PA 248, entitled “An act to prevent animals from running at large in certain cities and villages within this state,” by amending section 1 (MCL 433.51) and by adding section 13.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Agriculture,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Barnett moved to amend the bill as follows:

1. Amend page 1, line 9, after “village” by striking out “**SHALL**” and inserting “**MAY**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Byrum moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Dean moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.



By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5824, entitled**

A bill to amend 1879 PA 248, entitled “An act to prevent animals from running at large in certain cities and villages within this state,” by amending section 1 (MCL 433.51) and by adding section 13.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 62**

**Yeas—108**

Agema	Durhal	Kurtz	Polidori
Amash	Ebli	Lahti	Proos
Angerer	Elsenheimer	LeBlanc	Roberts
Ball	Espinoza	Leland	Rocca
Barnett	Geiss	Lemmons	Rogers
Bauer	Genetski	Lindberg	Schmidt, R.
Bennett	Gonzales	Lipton	Schmidt, W.
Bledsoe	Green	Liss	Schuitmaker
Bolger	Gregory	Lori	Scott, B.
Booher	Griffin	Lund	Scott, P.
Brown, L.	Haase	Marleau	Scripps
Brown, T.	Haines	Mayes	Segal
Byrnes	Hammel	McDowell	Sheltrown
Byrum	Hansen	McMillin	Slavens
Calley	Haugh	Meadows	Slezak
Caul	Haveman	Meekhof	Smith
Clemente	Hildenbrand	Melton	Spade
Constan	Horn	Meltzer	Stamas
Corriveau	Huckleberry	Miller	Stanley
Coulouris	Jackson	Moore	Switalski
Crawford	Johnson	Moss	Tlaib
Daley	Jones, Rick	Nathan	Tyler
Dean	Jones, Robert	Nerat	Valentine
Denby	Kandrevas	Neumann	Walsh
DeShazor	Kennedy	Opsommer	Warren
Dillon	Knollenberg	Pavlov	Womack
Donigan	Kowall	Pearce	Young

**Nays—0**

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Dean moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Reps. Haines, Haveman, Kowall, Rick Jones, Meltzer, Rogers, Knollenberg, Walsh, Marleau, Genetski, Ball, Paul Scott, Proos, Calley, DeShazor, Tyler, Stamas, Horn, Crawford, Kurtz, McMillin, Denby, Opsommer, Bolger, Lisa Brown, Byrnes, Cushingberry, Daley, Ebli, Hansen, Hildenbrand, Robert Jones, LeBlanc, Liss, Lori, Lund, Mayes, Nathan, Pearce, Scripps, Sheltrown, Slavens and Valentine offered the following resolution:

**House Resolution No. 219.**

A resolution proclaiming March 26, 2010, as Support Our Troops Day in the state of Michigan.

Whereas, It was through the brave and noble efforts of our Forefathers that the United States of America first gained freedom and became a sovereign nation. Since the American Revolution and throughout our country's history many wars have been fought; many battles have been waged; and many lives have been lost in order to protect our country and our cherished freedom; and

Whereas, In 1938, Congress proclaimed November 11th to be Armistice Day and in 1954, changed the name to Veterans' Day to honor all who have fought bravely in America's wars; and

Whereas, In 1868, General John Logan, national commander of the Grand Army of the Republic, officially proclaimed the 30th day of May to be Memorial Day, in honor of those fine men and women who have given their lives in noble service to our country; and

Whereas, In order to continually protect our cherished freedom we must always maintain armed forces and be ever vigilant against threats to our nation. For this reason, thousands of American troops are currently stationed around the world on peacekeeping missions, as well as fighting the war on terror. They spend months and years away from family and friends. Moreover, these brave Americans put themselves in harm's way to keep us safe, knowing full well they may be making the ultimate sacrifice; and

Whereas, Our active troops are remembered along with veterans on Memorial Day and Veterans' Day; however, there is no day set aside specifically to honor the men and women who are presently serving our country. These brave men and women, as well as their families, deserve to know that we appreciate all of the sacrifices they are making for this country; and

Whereas, The students of Waterford Kettering High School, have initiated a Candlelight Recognition to Support Our Troops at Waterford Kettering on March 26, 2010. It is the ultimate goal of these students to get our whole nation to observe five minutes of silence at 6:00 p.m., EST, in honor and appreciation of our American soldiers currently serving around the world. The students also encourage state and local governments to proclaim March 26th as Support Our Troops Day. Furthermore, it is their hope that March 26th could be officially established by the federal government as Support Our Troops Day; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body proclaim March 26, 2010, to be Support Our Troops Day in the state of Michigan; and be it further

Resolved, That residents of the state of Michigan are respectfully requested to pause for five minutes at 6:00 p.m. on March 26, 2010, to reflect with grateful hearts on the sacrifices being made by our servicemen and women in order to preserve our freedom and our way of life; and be it further

Resolved, That we encourage schools, churches, associations, and local governments to organize and promote ceremonies on March 26th, 2010, in observance of Support Our Troops Day; and be it further

Resolved, That copies of this adopted resolution be transmitted to students of Waterford Kettering High School.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Spade, Ball, Lisa Brown, Byrnes, Cushingberry, Hansen, Robert Jones, LeBlanc, Liss, Lori, Mayes, Nathan, Rogers, Scripps, Sheltroun, Slavens, Valentine, Warren and Bauer offered the following resolution:

**House Resolution No. 220.**

A resolution to memorialize Congress to reauthorize the funding for the Temporary Assistance to Needy Families Emergency Fund program.

Whereas, The austere economic times in which we are living require decisive actions by Congress to create and maintain jobs that will extend a lifeline to more than 100,000 individuals through subsidized jobs programs. The Temporary Assistance to Needy Families (TANF) Emergency Fund program was created in 2009 as part of the American Recovery and Reinvestment Act (ARRA) to enable states to create subsidized jobs programs for low-income parents and young adults, primarily in the private sector. As we approach the September 30, 2010, expiration date for this program, it imperative for the Congress to include President Obama's proposal to extend for one year and modestly expand the TANF Emergency Fund program as part of the jobs bill that is being developed; and

Whereas, The TANF Emergency Fund has proven to be an effective way of creating jobs at a lower cost than any of the existing measures being considered in Congress. According to the Center on Budget and Policy Priorities, this is because the fund subsidizes only part of a job's wages, wage levels for the subsidized jobs are low, and the administrative costs are generally small. Furthermore, the wages earned by people working in these jobs are meeting essential household needs while funneling dollars back into the economy through the purchase of goods and services; and

Whereas, The TANF Emergency Fund program provides states with a means for economic stimulus and a program that has the flexibility that enables the creation of jobs both in urban and rural communities. Those having the greatest difficulty obtaining a job are afforded an opportunity to earn an income. Extending this program would build on current efforts and maximize investments that have been made, while creating additional jobs in an economical way. It is critical for Congress to take swift action; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to reauthorize the funding for the TANF Emergency Fund program; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Families and Children's Services.

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Friday, March 5:

**House Bill Nos. 5922 5923 5924**  
**House Joint Resolution YY**  
**Senate Bill Nos. 1205 1206 1207 1208 1209 1210**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, March 8, for her approval of the following bills:

**Enrolled House Bill No. 4200 at 10:37 a.m.**  
**Enrolled House Bill No. 4324 at 10:39 a.m.**  
**Enrolled House Bill No. 5657 at 10:41 a.m.**  
**Enrolled House Bill No. 5658 at 10:43 a.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, March 9:

**Senate Bill Nos. 1211 1212 1213 1214 1215 1216 1217**

The Clerk announced that the following Senate bills had been received on Tuesday, March 9:

**Senate Bill Nos. 800 1030 1091 1135**

### Reports of Standing Committees

The Committee on Health Policy, by Rep. Corriveau, Chair, reported

**House Bill No. 4583, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5133 (MCL 333.5133), as amended by 1994 PA 420.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Corriveau, Segal, Byrum, Coulouris, Griffin, Liss, Neumann, Roy Schmidt, Slavens, Valentine, Womack, Marleau, Ball, Calley, Crawford, Denby, Green, Moore and Paul Scott

Nays: None

The Committee on Health Policy, by Rep. Corriveau, Chair, reported

**House Bill No. 5813, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7212 (MCL 333.7212), as amended by 2002 PA 710.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Corriveau, Segal, Byrum, Coulouris, Griffin, Liss, Roy Schmidt, Slavens, Valentine, Womack, Marleau, Ball, Calley, Crawford, Denby, Green, Moore and Paul Scott

Nays: None

The Committee on Health Policy, by Rep. Corriveau, Chair, reported

**House Bill No. 5920, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2006 PA 259.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Corriveau, Segal, Byrum, Coulouris, Griffin, Liss, Roy Schmidt, Slavens, Valentine, Womack, Marleau, Ball, Crawford, Denby, Green, Moore and Paul Scott

Nays: None

The Committee on Health Policy, by Rep. Corriveau, Chair, reported

**Senate Bill No. 1172, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17231.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Corriveau, Segal, Byrum, Coulouris, Griffin, Liss, Roy Schmidt, Slavens, Valentine, Womack, Marleau, Ball, Calley, Crawford, Denby, Green, Moore and Paul Scott

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Corriveau, Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Tuesday, March 9, 2010

Present: Reps. Corriveau, Segal, Byrum, Coulouris, Griffin, Liss, Neumann, Roy Schmidt, Slavens, Valentine, Womack, Marleau, Ball, Calley, Crawford, Denby, Green, Moore and Paul Scott

Absent: Reps. Donigan and Johnson

Excused: Reps. Donigan and Johnson

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

**House Bill No. 5017, entitled**

A bill to impose a state assessment on persons engaged in the business of leasing or renting a motor vehicle; to provide for the levy, collection, and administration of the state assessment; to provide for the disposition of the proceeds of the state assessment; to prescribe the powers and duties of certain state departments and certain public entities; and to provide for certain exemptions.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Slezak, Ebli, Huckleberry, LeBlanc, Lindberg and Stanley

Nays: Reps. Stamas, Bolger and Horn

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

**House Bill No. 5909, entitled**

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements

secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending sections 2f and 7 (MCL 21.142f and 21.147), section 2f as added by 2003 PA 262 and section 7 as amended by 2000 PA 280.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

#### Favorable Roll Call

#### To Report Out:

Yeas: Reps. Sheltroun, Slezak, Ebli, Huckleberry, LeBlanc, Lindberg and Stanley

Nays: Reps. Stamas, Bolger, Hansen and Horn

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

#### **Senate Bill No. 619, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 21 (MCL 205.111), as amended by 1994 PA 34.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

#### Favorable Roll Call

#### To Report Out:

Yeas: Reps. Sheltroun, Slezak, Ebli, Huckleberry, LeBlanc, Lindberg, Stanley, Stamas, Bolger, Hansen and Horn

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sheltroun, Chair, of the Committee on Tourism, Outdoor Recreation and Natural Resources, was received and read:

Meeting held on: Tuesday, March 9, 2010

Present: Reps. Sheltroun, Slezak, Ebli, Huckleberry, LeBlanc, Lindberg, Stanley, Stamas, Bolger, Hansen and Horn

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Mayes, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Tuesday, March 9, 2010

Present: Reps. Mayes, Geiss, Lisa Brown, Clemente, Huckleberry, Lindberg, Lipton, Melton, Roberts, Scripps, Horn, Crawford, Marleau, Opsommer, Wayne Schmidt and Schuitmaker

Absent: Reps. Ebli, Johnson and Proos

Excused: Reps. Ebli, Johnson and Proos

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Donigan, Chair, of the Committee on Intergovernmental and Regional Affairs, was received and read:

Meeting held on: Tuesday, March 9, 2010

Present: Reps. Donigan, Barnett, Bledsoe, Haugh, Robert Jones, Kennedy, Young, Lund, Denby and Wayne Schmidt

Absent: Rep. Meekhof

Excused: Rep. Meekhof

### Messages from the Senate

#### **Senate Bill No. 800, entitled**

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending section 5 (MCL 52.205), as amended by 2006 PA 569.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Health Policy.

#### **Senate Bill No. 1030, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 3 (MCL 125.2683), as amended by 2008 PA 217.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

#### **Senate Bill No. 1091, entitled**

A bill to amend 1965 PA 285, entitled "Professional investigator licensure act," by amending section 4 (MCL 338.824), as amended by 2008 PA 146.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

#### **Senate Bill No. 1135, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8d (MCL 125.2688d), as amended by 2008 PA 495.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Commerce.

### Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Great Lakes and Environment from further consideration of **House Bill No. 4898**.

Rep. Hildenbrand

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Great Lakes and Environment from further consideration of **House Bill No. 4908**.

Rep. Hildenbrand

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 4988**.

Rep. Hildenbrand

Pursuant to Rule 41, the Speaker has made the following reassignment:

**House Bill No. 5909** referred to the Committee on Tourism, Outdoor Recreation and Natural Resources on March 8, 2010.

**Messages from the Governor**

The following message from the Governor was received March 4, 2010 and read:

**EXECUTIVE ORDER  
No. 2010 – 2****DEPARTMENT OF EDUCATION  
DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH  
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT  
DEPARTMENT OF TREASURY****CREATION OF MICHIGAN FINANCE AUTHORITY****EXECUTIVE REORGANIZATION**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the executive branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration;

WHEREAS, under current law the administrative functions of certain public finance authorities have been combined into a single work unit serving several authority boards, under the direction and supervision of the State Treasurer;

WHEREAS, there exist multiple public finance authorities, agencies, and commissions in multiple departments with the ability to finance and otherwise assist certain public and private facilities and activities;

WHEREAS, the Department of Treasury has the expertise to assist with authorities' investments, debt issuances, and debt management to ensure that these functions are accomplished in a coordinated, cost-efficient and effective manner;

WHEREAS, there is a continuing need to reorganize functions among state departments to ensure efficient administration and effectiveness of government;

NOW THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

**I. DEFINITIONS**

As used in this Order:

A. "Civil Service Commission" means the commission required under Section 5 of Article XI of the Michigan Constitution of 1963.

B. "Department of Energy, Labor, and Economic Growth" means the principal department of state government created under Section 225 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.325, and renamed by Executive Order 1996-2, MCL 445.2001, Executive Order 2003-18, MCL 445.2011 and Executive Order 2008-20, MCL 445.2025.

C. "Department of Natural Resources and Environment" means the principal department of state government created under Section 250 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.350, and Section 501 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.501, as modified by Executive Order 1995-18, MCL 324.99903, and by Executive Order 2009-45.

D. "Department of Technology, Management, and Budget" means the principal department of state government created as the Department of Management and Budget under Section 121 of The Management and Budget Act, 1984 PA 431, MCL 18.1121, and renamed under Executive Order 2009-55.

E. "Department of Treasury" or "Department" means the principal department of state government created under Section 75 of 1965 PA 380, MCL 16.175.

F. "Michigan Finance Authority" or "Authority" means the public body corporate and politic created within the Department of Treasury under this Order.

G. "Michigan Forest Finance Authority" means the body corporate created within the Department of Natural Resources and Environment under Section 50503 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.50503.

H. "Michigan Higher Education Assistance Authority" means the authority created as an agency within the Department of Education under Section 1 of 1960 PA 77, MCL 390.951, and transferred to the Department of Treasury by Executive Order 1995-3, MCL 12.181, and modified by Executive Order 2002-12, MCL 12.193.

I. "Michigan Higher Education Facilities Authority" means the public body corporate and politic created as an agency and instrumentality of this state within the Department of Education under Section 3 of the Higher Education Facilities

Authority Act, 1969 PA 295, MCL 390.923, and transferred to the Department of Treasury by Executive Order 1992-2, MCL 390, and modified by Executive Order 1995-2, MCL 12.181, and Executive Order 2002-12, MCL 12.193.

J. "Michigan Higher Education Student Loan Authority" means the public body corporate and politic created within the Department of Education under Section 3 of the Higher Education Loan Authority Act, 1975 PA 222, MCL 390.1153, and transferred to the Department of Treasury by Executive Order 1995-3, MCL 12.181, and modified by Executive Order 2002-12, MCL 12.193.

K. "Michigan Municipal Bond Authority" means the body corporate, separate and distinct from this state, created within the Department of Treasury under Sections 4 and 6 of the Shared Credit Rating Act, 1985 PA 227, MCL 141.1054 and 141.1056, and modified by Executive Order 2002-12, MCL 12.193.

L. "Michigan Public Educational Facilities Authority" means the public body corporate and politic created under Executive Order 2002-3, MCL 12.192, and modified by Executive Order 2002-12, MCL 12.193.

M. "Michigan State Housing Development Authority" means the public body corporate and politic created under Section 21 of the State Housing Development Authority Act of 1966, 1966 PA 346, MCL 125.1421.

N. "Michigan Strategic Fund" means the public body corporate and politic created under Section 5 of the Michigan Strategic Fund Act, 1984 PA 270, MCL 125.2005.

O. "Michigan Tobacco Settlement Finance Authority" means the public body corporate and politic created within the Department of Treasury under Section 4 of the Michigan Tobacco Settlement Finance Authority Act, 2005 PA 226, MCL 129.264.

P. "Michigan Underground Storage Tank Financial Assurance Authority" means the body corporate created within the Department of Management and Budget under Section 21523 of Part 215 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.21523, and transferred to the Department of Treasury under Executive Order 1995-24, MCL 12.182.

Q. "State Budget Director" means the individual appointed by the Governor under Section 321 of The Management and Budget Act, 1984 PA 431, MCL 18.1321.

R. "State Higher Education Facilities Commission" means the entity created under Section 1 of 1964 PA 941, MCL 390.941, and transferred to the Department of Education by Section 307 of the Executive Organization Act of 1965 PA 380, MCL 16.407.

S. "State Hospital Finance Authority" means the public body corporate and politic of this state created within the Department of Treasury under Section 11 of the Hospital Finance Authority Act, 1969 PA 38, MCL 331.41.

T. "State Land Bank Fast Track Authority" means the authority created as a public body corporate and politic within the Department of Energy, Labor, and Economic Growth under Section 15 of the Land Bank Fast Track Act, 2003 PA 258, MCL 124.765.

U. "Type I transfer" means that phrase as defined under Section 3 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

V. "Type II transfer" means that phrase as defined under Section 3 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

## **II. CREATION OF THE MICHIGAN FINANCE AUTHORITY**

A. The Michigan Finance Authority is created as an autonomous public body corporate and politic within the Department of Treasury.

B. The Authority shall exercise its powers, duties, and functions independently of the Department. The budgeting, procurement, and related management functions of the Authority shall be performed under the direction and supervision of the State Treasurer. The Michigan Finance Authority shall be staffed and assisted by personnel from the Department of Treasury as a single work unit under the direction and supervision of the State Treasurer, subject to available funding.

C. The powers, duties, and functions of the Authority are vested in a board of directors. The Board of Directors of the Authority shall consist of the following 7 members:

1. The State Treasurer, who may designate a representative from within the Department to serve as a voting member of the Board of Directors of the Authority in the absence of the State Treasurer.

2. Six directors appointed by the Governor, with the advice and consent of the Senate, including all of the following:

a. One resident of this state with experience in housing and community development issues or relating to public finance.

b. One resident of this state with experience in education issues, including but not limited to, issues related to public school districts, public community colleges, or public universities, or relating to public finance.

c. One resident of this state with experience in economic development issues or relating to public finance.

d. One resident of this state with experience in natural resources and environmental issues or relating to public finance.

e. One resident of this state with experience in issues relating to hospitals or other health facilities or relating to public finance.

f. One other resident of this state.



D. Not more than 3 of the members of the Board of Directors of the Michigan Finance Authority shall be members of the same political party. Members of the Board of Directors of the Authority shall discharge their duties in a nonpartisan manner, with good faith, and with that degree of diligence, care, and skill that an ordinarily prudent person would exercise under similar circumstances in a like position. In discharging the duties, a member of the Board of Directors of the Authority, when acting in good faith, may rely upon the opinion of counsel for the Authority, upon the report of an independent appraiser selected with reasonable care by the Authority, or upon financial statements of the Authority represented to the member of the Board of Directors to be correct by the individual having charge of books or account of the Authority, or stated in a written report by a certified public accountant or firm of certified public accountants to fairly reflect the financial condition of the Authority.

E. Except as otherwise provided in this subsection, the members of the Board of Directors of the Authority shall be appointed for a term of 4 years. Of the 6 directors initially appointed, 3 directors shall be appointed for an initial term expiring on September 30, 2010, 1 director shall be appointed for an initial term expiring on September 30, 2011, 1 director shall be appointed for an initial term expiring on September 30, 2012, and 1 director shall be appointed for an initial term expiring on September 30, 2013.

F. A vacancy on the Board of Directors of the Authority occurring other than by expiration of a term shall be filled by the Governor in the same manner as the original appointment for the balance of the unexpired term. A member of the Board of Directors of the Authority may be reappointed for subsequent additional terms.

G. The State Treasurer shall serve as the Chairperson of the Michigan Finance Authority. The Board of Directors may select a member of the Board of Directors to serve as the Vice-Chairperson of the Authority.

### **III. OPERATIONS OF THE MICHIGAN FINANCE AUTHORITY**

A. The Board of Directors of the Authority shall adopt procedures consistent with Michigan law and this Order governing its organization and operations.

B. A majority of the members of the Board of Directors of the Authority serving constitutes a quorum for the transaction of the business of the Authority. The Board of Directors of the Authority shall act by a majority vote of the serving members of the Board of Directors.

C. The Board of Directors of the Authority shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Board of Directors.

D. The Board of Directors of the Authority may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Board also may consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

E. The Board of Directors of the Authority may establish advisory workgroups composed of representatives of entities participating in Authority activities or other members of the public as deemed necessary by the Board of Directors of the Authority to assist the Authority in performing its duties and responsibilities. The Board of Directors of the Authority may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

F. The Board of Directors of the Authority shall conduct all business at public meetings held in compliance with the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of each meeting shall be given in the manner required by the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275.

G. Members of the Board of Directors of the Authority shall serve without compensation, but may receive reimbursement for necessary travel and expenses consistent with relevant statutes and the rules and procedures of the Civil Service Commission and the Department of Technology, Management, and Budget, subject to available funding.

H. The Michigan Finance Authority may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Authority and the performance of its duties as the Board of Directors of the Authority deems advisable and necessary, in accordance with this Order, other Michigan law, and the rules and procedures of the Civil Service Commission and the Department of Technology, Management, and Budget.

I. The Authority may accept donations of labor, services, or other things of value from any public or private agency or person.

J. The Board of Directors of the Authority may delegate to 1 or more agents or employees those powers or duties with the limitations as the Board of Directors of the Authority considers proper.

K. Members of the Board of the Directors of the Authority shall refer all legislative and media contacts relating to the Authority to the Department of Treasury.

L. As of the effective date of this Order, the Authority is designated and authorized to receive and utilize all allocations and carry forward allocations of the tax credit, tax-exempt, or taxable obligations that may be issued to finance projects subject to the authority of the Michigan Finance Authority under this Order as permitted under the federal Internal Revenue Code of 1986, as amended, or as otherwise permitted by law.

### **IV. TRANSFERS TO MICHIGAN FINANCE AUTHORITY**

#### **A. Michigan Forest Finance Authority**

1. Except as otherwise provided in Sections IV.A.2 and V.A.1, the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Forest

Finance Authority, and the Board of Directors of the Michigan Forest Finance Authority relating to borrowing money and the issuance of bonds or notes are transferred to the Michigan Finance Authority, including, but not limited to, the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Forest Finance Authority relating to borrowing money and the issuance of bonds or notes under Part 505 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.50501 to 324.50522.

2. The position of State Forester under Section 50502 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.50502, and powers, duties, functions and responsibilities otherwise performed by the State Forester shall remain with the Department of Natural Resources and Environment. The position of Executive Director of the Michigan Forest Finance Authority provided for under Section 50505 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.50505, is abolished.

3. The Board of Directors of the Michigan Forest Finance Authority is abolished.

#### **B. Michigan Higher Education Assistance Authority**

1. The authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Higher Education Assistance Authority not transferred to the Department of Treasury under Section VI.A. are transferred to the Michigan Finance Authority, including, but not limited to, the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Higher Education Assistance Authority under the Michigan Higher Education Assistance Authority Act, 1960 PA 77, MCL 390.951 to 390.961.

2. As deemed necessary or appropriate by the Michigan Finance Authority, the Michigan Finance Authority may act in the place and stead of the Michigan Higher Education Assistance Authority and may take all actions that the Michigan Higher Education Assistance Authority could have taken under existing agreements and may execute conveyances, assignments, continuations, and transfers, or take other action as may be necessary or appropriate to implement the transfer under this Section IV.B.

3. The governing body of the Michigan Higher Education Assistance Authority is abolished.

#### **C. Michigan Higher Education Facilities Authority**

1. The authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Higher Education Facilities Authority and of the members of the Michigan Higher Education Facilities Authority are transferred to the Michigan Finance Authority, including, but not limited to, the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Higher Education Facilities Authority under the Michigan Higher Education Facilities Authority Act, 1969 PA 295, MCL 390.921.

2. The governing body of the Michigan Higher Education Facilities Authority authorized under Section 3 of the Michigan Higher Education Facilities Authority Act, 1969 PA 295, MCL 390.923, is abolished.

#### **D. Michigan Higher Education Student Loan Authority**

1. The authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Higher Education Student Loan Authority and of the members of the Michigan Higher Education Student Loan Authority are transferred to the Michigan Finance Authority, including, but not limited to, the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Higher Education Student Loan Authority under the Higher Education Loan Authority Act, 1975 PA 222, MCL 390.1151 to 390.1165.

2. The governing body of the Michigan Higher Education Student Loan Authority authorized under Section 3 of the Higher Education Loan Authority Act, 1975 PA 222, MCL 390.1153, is abolished.

#### **E. Michigan Municipal Bond Authority**

1. The authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Municipal Bond Authority and of the members of the Board of Trustees of the Michigan Municipal Bond Authority, are transferred to the Michigan Finance Authority, including, but not limited to, the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Municipal Bond Authority under all of the following:

a. The Shared Credit Rating Act, 1985 PA 227, MCL 141.1051 to 141.1076.

b. Section 2b of 1855 PA 105, MCL 21.142b.

c. Section 7 of the Revenue Bond Act of 1933, 1933 PA 94, MCL 141.107.

d. Section 17a of the Glenn Steil Revenue Sharing Act of 1971, 1971 PA 140, MCL 141.917a.

e. Sections 3 and 4 of the Safe Drinking Water Financial Assistance Act, 2000 PA 147, MCL 141.1453 and 141.1454.

f. Section 415(3) of the Revised Municipal Finance Act, 2001 PA 34, MCL 141.2415(3).

g. Section 10n of 1951 PA 51, MCL 247.660n.

h. Part 52 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.5201 to 324.5206.

i. Part 53 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.5301 to 324.5316.

- j. Part 54 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.5401 to 324.5419.
- k. Part 197 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.19701 to 324.19708.
- l. Section 1225(3) of The Revised School Code, 1976 PA 451, MCL 380.1225(3).
- m. Article I of The State School Aid Act of 1979, 1979 PA 94, MCL 388.1601 to 388.1619.
- n. Sections 9 and 14 of the School Bond Qualification, Approval, and Loan Act, 2005 PA 92, MCL 388.1929 and 388.1934.

2. The Board of Trustees of the Michigan Municipal Bond Authority is abolished.

#### **F. Michigan Public Educational Facilities Authority**

1. The authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds, of the Michigan Public Educational Facilities Authority and of the members of the Board of Trustees of the Michigan Public Educational Facilities Authority are transferred to the Michigan Finance Authority, including, but not limited to, the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Public Educational Facilities Authority under Executive Order 2002-3, MCL 12.192.

2. The Board of Trustees of the Michigan Public Educational Facilities is abolished.

#### **G. Michigan Strategic Fund**

1. The authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Strategic Fund, with respect to the construction, rehabilitation, refurbishing or equipping of facilities that are occupied or used or to be occupied by or to be used by or for the benefit of a public school or a private school, are transferred from the Michigan Strategic Fund to the Michigan Finance Authority, including but not limited to, the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Strategic Fund relating to the construction, rehabilitation, refurbishing or equipping of facilities that are occupied or used or to be occupied by or to be used by or for the benefit of a public school or a private school under the Michigan Strategic Fund Act, 1984 PA 270, MCL 125.2001 to 125.2094.

2. Upon the completion of the transfers under Section IV.G.1, the Michigan Strategic Fund shall continue to exercise the authority, powers, duties, functions, and responsibilities of the Michigan Strategic Fund not transferred to the Department of Treasury as an autonomous entity within the Department.

3. The transfers under Section IV.G.1 are subject to any agreement executed prior to the issuance of this Order with note holders, bond holders, or issuers of instruments that are guaranteed.

4. Nothing in this Order shall be construed to impair the obligation of any bond or note issued by the Michigan Strategic Fund. Bonds and notes issued or to be issued by the Michigan Strategic Fund or on behalf of the Michigan Strategic Fund are obligations of the Michigan Strategic Fund and not obligations of this state.

#### **H. Michigan Tobacco Settlement Finance Authority**

1. The authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Tobacco Settlement Finance Authority and of the Board of Directors of the Michigan Tobacco Settlement Finance Authority are transferred to the Michigan Finance Authority, including, but not limited to, the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds, of the Michigan Tobacco Settlement Finance Authority under the Michigan Tobacco Settlement Finance Authority Act, 2005 PA 226, MCL 129.261 to 129.279.

2. The Board of Directors of the Michigan Tobacco Settlement Finance Authority is abolished.

#### **I. Michigan Underground Storage Tank Financial Assurance Authority**

1. The authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Underground Storage Tank Financial Assurance Authority and of the Board of Directors of the Michigan Underground Storage Tank Financial Assurance Authority are transferred to the Michigan Finance Authority, including, but not limited to, the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Underground Storage Tank Financial Assurance Authority under Part 215 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.21501 to 324.21563.

2. The Board of Directors of the Michigan Underground Storage Tank Financial Assurance Authority is abolished.

#### **J. State Higher Education Facilities Commission**

1. The authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the State Higher Education Facilities Commission and of the members of the State Higher Education Facilities Commission are transferred to the Michigan Finance Authority, including, but not limited to, the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the State Higher Education Facilities Commission under 1964 PA 233, MCL 390.941 to 390.948.

2. The governing body of the State Higher Education Facilities Commission is abolished.

**K. State Hospital Finance Authority**

1. The authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the State Hospital Finance Authority and of the members of the State Hospital Finance Authority are transferred to the Michigan Finance Authority, including, but not limited to, the authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the State Hospital Finance Authority under all of the following:

- a. The Hospital Finance Authority Act, 1969 PA 38, MCL 331.41 to 331.84.
  - b. Section 21522 of the Public Health Code, 1978 PA 368, MCL 333.21552.
2. The governing body of the State Hospital Finance Authority is abolished.

**L. State Land Bank Fast Track Authority**

1. The authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the State Land Bank Fast Track Authority with respect to issuance of bonds or notes by the State Land Bank Fast Track Authority, including, but not limited to, the Land Bank Fast Track Authority Act, 2003 PA 258, MCL 124.751 to 124.774, or subject to Section 7gg(3)(b) of The General Property Tax Act, 1893 PA 206, MCL 211.7gg(3)(b), are transferred to the Michigan Finance Authority and are to be exercised by the members of the Michigan Finance Authority.

**V. TRANSFERS TO DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT****A. Michigan Forest Finance Authority**

1. The authority, powers, duties, functions, responsibilities, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Michigan Forest Finance Authority and of the Board of Directors of the Michigan Forest Finance Authority not otherwise transferred to the Michigan Finance Authority under Section IV.A are transferred by Type II transfer from the Michigan Forest Finance Authority to the Department of Natural Resources and Environment.

**VI. TRANSFERS TO DEPARTMENT OF TREASURY****A. Michigan Higher Education Assistance Authority**

1. Except as otherwise provided in this Order, the authority, powers, duties, functions, programs, responsibilities, rights, properties, and obligations pertaining to rule-making, adjudication, licensing and registration and the prescription of rules, rates, regulations and standards of the Michigan Higher Education Assistance Authority under all of the following are transferred to the Department of Treasury:

- a. 1964 PA 208, MCL 390.971 to 390.981 (state competitive scholarships).
- b. 1966 PA 313, MCL 390.991 to 390.997a (tuition grants).
- c. The Michigan Nursing Scholarship Act, 2002 PA 591, MCL 390.1181 to 390.1189.
- d. 1986 PA 102, MCL 390.1281 to 390.1288 (part-time, independent student grants).
- e. 1986 PA 303, MCL 390.1321 to 390.1332 (Michigan Work-Study Program).
- f. The Children of Veterans Tuition Grant, 2005 PA 248, MCL 390.1341 to 390.1346.
- g. 1986 PA 288, MCL 390.1371 to 390.1382 (Michigan Work-Study Program).
- h. 1986 PA 273, MCL 390.1401 to 390.1409 (Michigan Educational Opportunity Grant Program).
- i. 20 USC 1070d-31 to 1070d-41 (Robert C. Byrd Honors Scholarship Program).

2. As deemed necessary or appropriate by the State Treasurer, the State Treasurer may act in the place and stead of the Michigan Higher Education Assistance Authority and may take all actions that the Michigan Higher Education Assistance Authority could have taken under existing agreements and may execute conveyances, assignments, continuations, and transfers, or take other action, as necessary or appropriate to implement the transfers to the Department of Treasury under this Section VI.A.

**B. State Land Bank Fast Track Authority**

1. Except as provided in this Order, the State Land Bank Fast Track Authority created under Section 15 of the Land Bank Fast Track Authority Act, 2003 PA 258, MCL 124.765, is transferred by Type I transfer from the Department of Energy, Labor, and Economic Growth to the Department of Treasury.

**C. Michigan State Housing Development Authority**

1. The Michigan State Housing Development Authority created under Section 21 of the State Housing Development Authority Act, 1966 PA 346, MCL 125.1421, is transferred intact from the Department of Energy, Labor, and Economic Growth to the Department of Treasury.

2. Except for the transfer of the Michigan State Housing Development Authority under Section VI.C.1, nothing in this Order shall alter the statutory authority, powers, duties, functions, and responsibilities of the Michigan State Housing Development Authority, which shall remain with the Michigan State Housing Development Authority. All records, property, personnel, monies, and funds of the Michigan State Housing Development Authority, including, but not limited to, bonds, notes, reserves, and trust funds, remain under the control of the Michigan State Housing Development Authority, subject to any agreements of the Michigan State Housing Development Authority with note and bond holders.

3. The Michigan State Housing Development Authority shall exercise its powers, duties, and functions independently of the Department. Consistent with Executive Order 2008-20, MCL 445.2025, the budgeting, procurement, and related management functions of the Michigan State Housing Development Authority shall be performed under the direction and supervision of the State Treasurer. When directing and supervising the budgeting, procurement, and related management functions of the Michigan State Housing Development Authority, the State Treasurer shall remain cognizant of the rights of the holders of Michigan State Housing Development Authority bonds or notes. Certain Michigan State Housing Development Authority bond or note contracts may require the Michigan State Housing Development Authority to either maintain sufficient personnel or contract for services to plan Michigan State Housing Development Authority programs and to supervise enforcement and, where necessary, foreclosure of Michigan State Housing Development Authority mortgage agreements.

4. The transfer of the Michigan State Housing Development Authority under Section VI.C.1 is subject to any agreement executed prior to the issuance of this Order with note holders, bond holders, or issuers of instruments that are guaranteed.

5. Nothing in this Order shall be construed to affect the status of moneys of the Michigan State Housing Development Authority. Moneys of the Michigan State Housing Development Authority are not moneys of this state and shall continue to be non-state funds. State funds appropriated to the Michigan State Housing Development Authority lose their identity as state funds upon payment to the Michigan State Housing Development Authority and become public funds of the Michigan State Housing Development Authority under the control of the Michigan State Housing Development Authority. Funds established by or within the Michigan State Housing Development Authority are public trust funds administered by the Michigan State Housing Development Authority.

6. Nothing in this Order shall be construed to impair the obligation of any bond or note issued by or on behalf of the Michigan State Housing Development Authority. Bonds and notes issued by or on behalf of the Michigan State Housing Development Authority are obligations of the Michigan State Housing Development Authority and not obligations of this state.

7. The Michigan State Housing Development Authority may contract with the Department for the purpose of maintaining the rights and interests of the Michigan State Housing Development Authority. Subject to available appropriations, if requested by the Michigan State Housing Development Authority, the Department shall provide staff and other support to the Michigan State Housing Development Authority to assist with its duties, powers, and responsibilities.

8. The Michigan State Housing Development Authority and the Department shall actively cooperate to identify and implement administrative efficiencies and economies at the Michigan State Housing Development Authority and the Department of Treasury. The Michigan State Housing Development Authority and the Department also shall coordinate activities relating to investments of the Michigan State Housing Development Authority when responsibilities relating to investments are vested in the State Treasurer or the Department of Treasury under the State Housing Development Authority Act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c.

## **VII. IMPLEMENTATION OF TRANSFERS**

A. The State Treasurer shall provide executive direction and supervision for the implementation of all transfers to the Department of Treasury and the Michigan Finance Authority under this Order. The Director of the Department of Natural Resources and Environment shall provide executive direction and supervision for the implementation of all transfers to the Department of Natural Resources and Environment under this Order.

B. The State Treasurer shall administer the functions transferred to the Department of Treasury under this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities under this Order. The Michigan Finance Authority shall administer the functions transferred to the Authority under this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities under this Order. The Director of the Department of Natural Resources and Environment shall administer the functions transferred to the Department of Natural Resources and Environment under this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities under this Order.

C. Consistent with Executive Order 2002-12, MCL 12.193, the State Treasurer shall serve as the appointing authority for the state classified civil service employees performing functions for the Michigan Finance Authority.

D. The State Treasurer shall identify the public finance positions to be consolidated into the Michigan Finance Authority. This paragraph does not affect public finance positions at the Michigan State Housing Development Authority.

E. The State Treasurer shall, in the State Treasurer's discretion, ensure that the staff resources available to the Authority are sufficient to perform the functions vested in the Authority as provided for by law, subject to available funding.

F. Subject to available appropriations, if requested by the Authority, the Department shall provide staff and other support to the Authority sufficient to carry out its duties, powers, and responsibilities.

G. To the extent that there are any agreements between the Authority and the Department or any authority affected by this Order, they shall be consistent with this Order and documented by a memorandum of understanding between the State Treasurer and the Authority.

H. All departments and agencies of state government shall provide full cooperation to the Michigan Finance Authority in the performance of its duties, powers, and responsibilities.

I. For the purpose of implementing this Order or facilitating the performance of staff functions and upon the request of the Michigan Finance Authority, the State Treasurer may enter into a written agreement, including a service level agreement, with any other department, agency, authority, or state entity regarding the performance functions for the Michigan Finance Authority.

J. The State Treasurer shall immediately initiate coordination with departments, agencies, authorities, and entities within the executive branch of state government to facilitate the transfers to the Department of Treasury under this Order. Each principal department affected by the transfers under this Order shall issue, after consultation with the State Treasurer, a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the transferring department related to the transfers under this Order.

K. Departments, agencies, and state officers within the executive branch of state government shall fully and actively cooperate with the State Treasurer in the implementation of this Order. The State Treasurer may request the assistance of other departments, agencies, and state officers with respect to personnel, budgeting, procurement, telecommunications, information systems, legal services, and other issues related to implementation of the transfers under this Order, and the departments and agencies shall provide the assistance requested.

L. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available or to be made available to any entity other than the Michigan State Housing Development Authority for the authority, activities, powers, duties, functions, and responsibilities transferred under this Order to the Department are transferred to the Department. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available or to be made available to any entity for the authority, activities, powers, duties, functions, and responsibilities transferred under this Order to the Authority are transferred to the Authority. All records, property, grants, and unexpended balances of appropriations, allocations, and other funds used, held, employed, available or to be made available to any entity for the authority, activities, powers, duties, functions, and responsibilities transferred under this Order to the Department of Natural Resources and Environment are transferred to the Department of Natural Resources and Environment.

M. All property subject to transfer to the Authority under this Order shall be transferred to and shall be the property of the Authority, subject to any liens, restrictions and limitations, provided in this Order. Nothing in this Order shall be construed to impair the obligation of any bond, note, or contract authorized, issued, or existing on the date of this Order.

N. The transfers to the Michigan Finance Authority under this Order are subject to any agreement executed prior to the issuance of this Order with note holders, bond holders or issuers of instruments that are guaranteed.

O. The Authority shall acquire and succeed to all the rights, properties, obligations and duties under the provisions of law, including, without limitation, all allocations and carry forward allocations of the amount of tax credit, taxable, and tax-exempt obligations that may be issued under the federal Internal Revenue Code of 1986, as amended, or as otherwise provided by law.

P. The Authority shall assume and be liable for all of the obligations, promises, covenants, commitments, and other requirements under law of the powers transferred to the Authority under this Order and shall perform all of the duties and obligations and shall be entitled to all of the rights of the entities transferred under any of their agreements, resolutions, indentures, or other instruments of law.

Q. All actions, commitments, or proceedings undertaken for all bond projects for which a declaration of official intent to reimburse, an inducement resolution, or a bond authorizing resolution has been adopted shall remain valid and effective upon assumption by the Authority under this Order. All actions, commitments, or proceedings in the process of being undertaken by but not yet a commitment or obligation may be undertaken and completed by the Authority as provided in this Order or other applicable law and in any agreements. Actions undertaken and completed by the Authority under this paragraph shall be considered to be the actions of authorities on whose behalf the Authority has acted.

R. The State Treasurer may delegate within the Department of Treasury a duty or power conferred on the State Treasurer by this Order or by other law, and the individual to whom the duty or power is delegated may perform the duty or exercise the power at the time and to the extent that the duty or power is delegated by the State Treasurer. The Michigan Finance Authority may delegate within the Michigan Finance Authority or, with the consent of the State Treasurer, the Department of Treasury, a duty or power conferred on the Michigan Finance Authority by this Order or by other law, and the individual to whom the duty or power is delegated may perform the duty or exercise the power at the time and to the extent that the duty or power is delegated by the Michigan Finance Authority.

### **VIII. MISCELLANEOUS**

A. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in this state's financial management system necessary to implement this Order.

B. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

C. All rules, regulations, orders, contracts, and agreements relating to the functions transferred under this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, repealed, or rescinded.

D. This Order shall not abate any criminal action commenced by this state prior to the effective date of this Order.

E. The invalidity of any portion of this Order shall not affect the validity of the remainder of this Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective May 30, 2010 at 12:01 a.m.

[SEAL]

Given under my hand this 4th day of March, in the year of our Lord, two thousand and ten.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

Date: March 4, 2010

Time: 10:50 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4202 (Public Act No. 6, I.E.), being**

An act to amend 2000 PA 161, entitled “An act to create the Michigan education savings program; to provide for education savings accounts; to prescribe the powers and duties of certain state agencies, boards, and departments; to allow certain tax credits or deductions; and to provide for penalties and remedies,” by amending sections 2 and 7 (MCL 390.1472 and 390.1477), as amended by 2007 PA 153.

(Filed with the Secretary of State March 4, 2010, at 1:19 p.m.)

Date: March 8, 2010

Time: 11:30 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4535 (Public Act No. 7, I.E.), being**

An act to amend 1939 PA 288, entitled “An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,” by amending section 19b of chapter XIA (MCL 712A.19b), as amended by 2008 PA 199.

(Filed with the Secretary of State March 8, 2010, at 3:34 p.m.)

Date: March 8, 2010

Time: 11:19 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5567 (Public Act No. 9, I.E.), being**

An act to amend 1992 PA 147, entitled “An act to provide for the development and rehabilitation of residential housing; to provide for the creation of neighborhood enterprise zones; to provide for obtaining neighborhood enterprise zone certificates for a period of time and to prescribe the contents of the certificates; to provide for the exemption of certain taxes; to provide for the levy and collection of a specific tax on the owner of certain facilities; and to prescribe the powers and duties of certain officers of the state and local governmental units,” by amending section 2 (MCL 207.772), as amended by 2008 PA 284.

(Filed with the Secretary of State March 8, 2010, at 3:38 p.m.)

Date: March 8, 2010  
Time: 11:21 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5140 (Public Act No. 10, I.E.), being**

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” (MCL 257.1 to 257.923) by amending the title, as amended by 2002 PA 554, and by adding section 618a.

(Filed with the Secretary of State March 8, 2010, at 3:40 p.m.)

Date: March 8, 2010  
Time: 11:23 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4724 (Public Act No. 11, I.E.), being**

An act to provide for certain duties of certain state agencies.

(Filed with the Secretary of State March 8, 2010, at 3:42 p.m.)

Date: March 8, 2010  
Time: 11:25 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4820 (Public Act No. 12, I.E.), being**

An act to amend 1975 PA 238, entitled “An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending section 18 (MCL 722.638), as amended by 1998 PA 428.

(Filed with the Secretary of State March 8, 2010, at 3:44 p.m.)

### Introduction of Bills

Rep. Johnson introduced

**House Bill No. 5925, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 3205a (MCL 600.3205a), as added by 2009 PA 30.

The bill was read a first time by its title and referred to the Committee on Banking and Financial Services.

Rep. Walsh introduced

**House Bill No. 5926, entitled**

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending sections 208, 601, and 606 (MCL 125.3208, 125.3601, and 125.3606), as amended by 2008 PA 12.

The bill was read a first time by its title and referred to the Committee on Intergovernmental and Regional Affairs.



Reps. Neumann, Spade, Gonzales, Polidori and Hammel introduced

**House Bill No. 5927, entitled**

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," (MCL 484.1101 to 484.1717) by adding section 322.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Reps. Booher, Walsh, Hansen, Bolger, Opsommer, Meekhof, Rocca, Sheltroun, Rogers, Elsenheimer, Calley, Hildenbrand, Agema, Amash, Marleau, Mayes, Espinoza, Knollenberg, Rick Jones, Crawford, Stamas, Liss, Paul Scott, Wayne Schmidt, Horn, Proos, Daley, Pearce, Lund, Genetski, Griffin, Green, Schuitmaker, Kurtz and Slezak introduced

**House Bill No. 5928, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 13807 (MCL 333.13807), as added by 1990 PA 21.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Haveman, Walsh, Hansen, Bolger, Opsommer, Meekhof, Rocca, Sheltroun, Horn, Elsenheimer, Calley, Hildenbrand, Agema, Amash, Marleau, Mayes, Espinoza, Knollenberg, Rick Jones, Crawford, Stamas, Liss, Paul Scott, Wayne Schmidt, Rogers, Proos, Daley, Pearce, Lund, Genetski, Griffin, Green, Schuitmaker, Kurtz and Slezak introduced

**House Bill No. 5929, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 2804, 2834, and 2848 (MCL 333.2803, 333.2804, 333.2834, and 333.2848), sections 2803, 2834, and 2848 as amended by 2002 PA 562 and section 2804 as amended by 1990 PA 149, and by adding sections 2836 and 2854.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Donigan, Meadows, Liss, Geiss, Hammel and Durhal introduced

**House Bill No. 5930, entitled**

A bill to create intergovernmental advisory office and to provide for its powers and duties; to create certain funds; to provide for certain powers and duties of certain state and local officers and agencies; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on Intergovernmental and Regional Affairs.

Reps. Warren, Tlaib, Smith, Liss, Leland, Ebli, Lipton and Meadows introduced

**House Bill No. 5931, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5451, 5453, 5454, 5455, 5456, 5457, 5458, 5459, 5460, 5461, 5461a, 5462, 5463, 5466, 5467, 5468, 5469, 5470, 5471, 5472, 5473, 5473a, 5474, 5474b, 5475, 5475a, 5476, and 5477 (MCL 333.5451, 333.5453, 333.5454, 333.5455, 333.5456, 333.5457, 333.5458, 333.5459, 333.5460, 333.5461, 333.5461a, 333.5462, 333.5463, 333.5466, 333.5467, 333.5468, 333.5469, 333.5470, 333.5471, 333.5472, 333.5473, 333.5473a, 333.5474, 333.5474b, 333.5475, 333.5475a, 333.5476, and 333.5477), sections 5451, 5461, 5469, 5470, and 5474 as added by 1998 PA 219, section 5453 as amended by 2008 PA 45, sections 5454, 5455, 5456, 5457, 5458, 5459, 5460, 5462, 5463, 5467, 5468, 5471, 5472, 5473a, 5475, 5476, and 5477 as amended by 2002 PA 644, sections 5461a, 5466, and 5473 as added by 1998 PA 220, section 5474b as added by 2004 PA 432, and section 5475a as added by 2004 PA 434, and by adding sections 5460b, 5461b, 5461c, 5469a, and 5469b.

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Reps. Haugh, Stamas, Genetski and Slezak introduced

**House Bill No. 5932, entitled**

A bill to require the operators of bowling centers to give certain notices to bowlers; and to grant immunity from civil liability to operators of bowling centers.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Spade, Neumann, Polidori, Gonzales, Byrnes, Slezak and Liss introduced

**House Bill No. 5933, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 266.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Reps. Johnson, Spade and Liss introduced

**House Bill No. 5934, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14a of chapter XVII (MCL 777.14a), as added by 2002 PA 29.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Kowall, Genetski, Ball, McMillin, Crawford, Horn, Haveman, Caul, Hansen and Bauer introduced

**House Bill No. 5935, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2008 PA 198.

The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Green, Walsh, Ball, Lori, Pearce and Stamas introduced

**House Bill No. 5936, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending sections 17 and 29 (MCL 421.17 and 421.29), section 17 as amended by 2009 PA 18 and section 29 as amended by 2008 PA 480.

The bill was read a first time by its title and referred to the Committee on Labor.

Reps. Kandrevas and Calley introduced

**House Bill No. 5937, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 27a (MCL 205.27a), as amended by 2003 PA 23.

The bill was read a first time by its title and referred to the Committee on Tax Policy.

### Announcements by the Clerk

March 4, 2010

Received from the Auditor General a copy of the following audit report and/or report summary:

Financial audit of the Michigan Education Trust (MET) Plans B and C, a discretely presented component unit of the State of Michigan, for the fiscal years ended September 30, 2009 and September 30, 2008.

March 4, 2010

Received from the Auditor General a copy of the following audit report and/or report summary:

Financial audit of the Michigan Education Trust (MET) Plan D, a discretely presented component unit of the State of Michigan, for the fiscal years ended September 30, 2009 and September 30, 2008.

Richard J. Brown  
Clerk of the House

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Rep. Segal moved that the House adjourn.  
The motion prevailed, the time being 3:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, March 10, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives

